

S 113

A bill to amend the Foreign Intelligence Surveillance Act of 1978 to cover individuals, other than United States persons, who engage in international terrorism without affiliation with an international terrorist group.

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: Jan 9, 2003

Current Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Latest Action: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (Jun 25, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/113>

Sponsor

Name: Sen. Kyl, Jon [R-AZ]

Party: Republican • **State:** AZ • **Chamber:** Senate

Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Sen. DeWine, Mike [R-OH]	R · OH		Jan 9, 2003
Sen. Hatch, Orrin G. [R-UT]	R · UT		Jan 9, 2003
Sen. Schumer, Charles E. [D-NY]	D · NY		Jan 9, 2003
Sen. Chambliss, Saxby [R-GA]	R · GA		Jan 28, 2003
Sen. Sessions, Jeff [R-AL]	R · AL		Feb 6, 2003
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		May 5, 2003
Sen. Cornyn, John [R-TX]	R · TX		May 5, 2003
Sen. Craig, Larry E. [R-ID]	R · ID		May 5, 2003

Committee Activity

Committee	Chamber	Activity	Date
Intelligence (Permanent Select) Committee	House	Referred To	May 9, 2003
Intelligence (Select) Committee	Senate	Discharged From	May 8, 2003
Judiciary Committee	Senate	Reported By	Mar 11, 2003
Judiciary Committee	House	Referred to	Jun 25, 2003

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
108 HR 3552	Related bill	Dec 10, 2003: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
108 S 123	Identical bill	Jan 9, 2003: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S157)

Summary (as of May 8, 2003)

Amends the Foreign Intelligence Surveillance Act of 1978 (FISA) to extend the meaning of "agent of a foreign power" to any person, other than a U.S. person, that engages in international terrorism or activities in preparation for them (regardless of whether affiliated with groups engaging in such terrorism or activities), for purposes of securing FISA warrants authorizing the electronic surveillance of communications between and among foreign powers.

Requires the Attorney General to report annually to the appropriate congressional committees on: (1) the aggregate number of non-U.S. persons targeted for FISA orders, including a break-down of those targeted for electronic surveillance, physical searches, pen registers, and access to records; (2) the number of individuals covered by a FISA order who were determined to have acted wholly alone in the activities covered by such order; and (3) the number of times that the Attorney General has authorized that information obtained under FISA, or any derivative information, may be used in a criminal proceeding.

Requires the Attorney General also to report annually to the same committees, in a manner consistent with the protection of U.S. national security, on: (1) the portions of the documents and applications filed with the courts established by the Chief Justice of the United States to grant electronic surveillance orders that include significant construction or interpretation of FISA provisions, not including the facts of any particular matter, which may be redacted; and (2) the portions of the opinions and orders of such courts that include significant construction or interpretation of such provisions.

Requires the first such reports to be filed within six months after enactment of this Act.

Actions Timeline

- **Jun 25, 2003:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **May 9, 2003:** Message on Senate action sent to the House.
- **May 9, 2003:** Received in the House.
- **May 9, 2003:** Referred to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **May 9, 2003:** Referred to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **May 9, 2003:** Referred to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **May 8, 2003:** Referred to the Committee on Intelligence pursuant to the order of May 7, 2003.
- **May 8, 2003:** Senate Committee on Intelligence discharged. pursuant to the order of May 7, 2003.
- **May 8, 2003:** Senate Committee on Intelligence discharged. pursuant to the order of May 7, 2003.
- **May 8, 2003:** Measure laid before Senate by unanimous consent. (consideration: CR S5899-5907, S5913-5928; text of measure as reported in Senate: CR S5899)
- **May 8, 2003:** The committee substitute as amended agreed to by Unanimous Consent.
- **May 8, 2003:** Passed/agreed to in Senate: Passed Senate with an amendment and an amendment to the Title by Yea-Nay Vote. 90 - 4. Record Vote Number: 146.
- **May 8, 2003:** Passed Senate with an amendment and an amendment to the Title by Yea-Nay Vote. 90 - 4. Record Vote Number: 146.
- **Apr 29, 2003:** By Senator Hatch from Committee on the Judiciary filed written report. Report No. 108-40. Additional views filed.
- **Apr 29, 2003:** By Senator Hatch from Committee on the Judiciary filed written report. Report No. 108-40. Additional views filed.
- **Mar 11, 2003:** Committee on the Judiciary. Reported by Senator Hatch with an amendment in the nature of a substitute and an amendment to the title. Without written report.
- **Mar 11, 2003:** Committee on the Judiciary. Reported by Senator Hatch with an amendment in the nature of a substitute and an amendment to the title. Without written report.
- **Mar 11, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 32.
- **Mar 6, 2003:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jan 9, 2003:** Introduced in Senate
- **Jan 9, 2003:** Read twice and referred to the Committee on the Judiciary.